

November 2, 2001

AGAR ADVISORY

UNITED STATES DEPARTMENT OF AGRICULTURE
OFFICE OF PROCUREMENT AND PROPERTY MANAGEMENT
AGAR ADVISORY NO. 34B

Implementation of Section 508 of the Rehabilitation Act of 1973, as amended

INTRODUCTION: This Agriculture Acquisition Regulation (AGAR) Advisory has been prepared to provide additional information regarding implementation of Section 508 of the Rehabilitation Act of 1973, as amended.

SUMMARY: AGAR Advisories 34, 34a and 35 were issued to provide consistent guidance for USDA in the acquisition of electronic information technology (EIT). This Advisory contains one additional working tool to be provided to the requirements officials. This tool is not considered codified material. The attachment is a guidance document designed to ease internal management of EIT acquisitions.

SPECIFIC ISSUES:

Section 508 of the Rehabilitation Act of 1973, as amended applies to all EIT, whether acquired as parts or as a system. However, some parts do not impact information input or output of concern in the statute and regulation. Software is an example of a system part that does impact information input or output. A replacement hard drive is an example of EIT that does not impact information input or output in the manner that is addressed in Section 508.

Attachment Six is a sample format for use in making a determination that the requirement is for parts for which no standard exists. The attachment is numbered six to follow the five attachments presented in AGAR Advisory Number 34.

If you have questions about this advisory, please contact J. R. Holcombe Jr. by telephone at (202) 720-8484, by fax at (202) 720-8972, or by email to Richard.Holcombe@USDA.gov.

EXPIRATION DATE: One year after the issuance date of AGAR Advisory No. 34.

[END]

ATTACHMENT SIX TO AGAR ADVISORY NO. 34b
(Attachments 1 to 5 are in AGAR Advisory No. 34)

DETERMINATION THAT NO STANDARD IS AVAILABLE

When requiring parts as commercial items and no standard exists, the requiring official must provide a written determination to the contracting officer for inclusion in the file.

The determination should describe--

- (1) The commercial items or products required to meet the agency's needs.
- (2) The dollar value of the acquisition, including any options.
- (3) That there is(are) no applicable Section 508 standard(s) (see 36 CFR Part 1194).

Approval of the determination.

The determination must be approved in writing prior to award of the task or delivery order, purchase order or contract. The approving official is the requiring official.